

## **Minutes for Zoning Board of Adjustment April 27, 2006 – 7:00 P.M.**

### **Roll Call**

Present for the hearing were Chairman Landers, Vice-Chair Donahue, Tower-Pierce, Hoffman, and Aseltine. Michele Braun was present as the Clerk. Nanci Allard was present as Interim Zoning Administrator. Public present were Steven Hatch, and David MacDougall and David Ritzer.

### **Approval of Minutes**

A motion to approve the minutes as presented for the March 23, 2006 Hearing was made by Hoffman and seconded by Aseltine. **The motion passed 5-0-0.**

A motion to appoint Michele Braun as Clerk of the Zoning Board of Adjustment was made by Hoffman and seconded by Donohue. **The motion passed 5-0-0.**

The Hearing was begun at 7:09 PM.

Chairman Landers stated the following:

1. All meetings of the Board of Adjustment shall be open to the Public.
2. The Officers of the Board of Adjustment may administer oaths to the witnesses.
3. All witnesses will be “Interested Persons” to the appellant. “Interested Persons” are owners of property abutting that of the appellant.
4. All testimony by “Interested Persons” and materials shall be germane to any issue under appeal.
5. All Hearings shall be open to the public and the rules of evidence at such hearings shall be the same as set forth in Title 3§810.
  - a) Irrelevant, immaterial or unduly repetitious evidence shall be excluded. The rules of evidence as applied in civil cases in superior courts of this state shall be followed.
6. The Board of Adjustment shall render its decisions, which shall include “Findings of Facts”.

### **Hearing 042706-1: Matthew Fordham, 35 Thrush Lane**

Mr. Fordham is requesting a Variance from section 605 to construct an addition closer to the center of the road than the minimum setback.

Ms. Allard noted that Mr. Fordham has requested that consideration of this matter be postponed until the May 25, 2006 meeting.

A motion to recess Hearing 042706-1 until the May 25, 2006 meeting of the Zoning Board was made by Tower-Pierce and seconded by Aseltine. **The motion passed 5-0-0.**

**Hearing 042706-2: David MacDougall, 152 Terrace Drive**

Mr. MacDougall is requesting a Variance from section 605 to construct a porch closer to the center of the road than the minimum setback.

A motion to approve the Variance was made by Donahue and seconded by Aseltine. **The motion passed 5-0-0.**

**Hearing 042706-3: Brad Denny, 19 Overlook Drive**

Mr. Denny is requesting a Variance from section 601 to construct structures (Berlin Pond Road Property Subdivisions) closer to the center of the road than the minimum setback.

The Zoning Board being unable to locate Mr. Denny's permit application, and Mr. Denny having no representative present at the meeting, a motion to recess Hearing 042706-3 until the May 25, 2006 meeting was made by Tower-Pierce and seconded by Aseltine. **The motion passed 5-0-0.**

The hearings were closed at 9:10 PM.

**Adjournment:**

A motion to adjourn was made by Donahue.

These minutes are submitted by Michele Braun and are subject to approval at the next regular meeting; however, they are substantially correct.

Michele Braun  
Zoning Administrator / ZBA Clerk